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10/569,559	02/27/2006	Joseph W. Stolle	2003UR033	5349

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EXAMINER

HEWITT, JAMES M

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3679

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/569,559	Applicant(s) STOLLE ET AL.
	Examiner JAMES M. HEWITT	Art Unit 3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/27/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

Documents “13” and “14” listed in the IDS filed 2/27/06 have not been considered as they have not been provided a publication date, as required by 37 CFR 1.98.

Drawings

The drawings are objected to because Figure 5A depicts two embodiments (one with spacer 26, the other with spacer 27). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

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corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter of claim 3 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The abstract of the disclosure is objected to because the claimed invention which it describes does not include methods and it includes the implied phrase "are provided" on line 2. Correction is required. See MPEP § 608.01(b).

The title of the application is objected to as it erroneously describes the claimed invention as including methods.

Claim Objections

Claims 1-8 are objected to because of the following informalities:

The preambles of each of claims 1, 6, 7 and 8 recite "A threaded connection for connecting first and second substantially cylindrical-shaped components having a pre-defined axial alignment", thus implying that the components are only functionally claimed. Yet the body of each claim positively recites the components. The preambles should be amended such that they are not inconsistent with the bodies.

The claims have been interpreted as if the components are positively claimed.

In claim 1, line 17, the comma should be deleted.

In claim 1, line 20, the comma should be deleted.

In claim 5, lines 2-3, "said aligned opening" lacks proper antecedent basis.

In claim 6, line 19, the comma should be deleted.

In claim 6, line 22, the comma should be deleted.

In claim 7, line 12, the comma should be deleted.

In claim 7, line 20, the comma should be deleted.

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In claim 8, line 12, the comma should be deleted.

In claim 8, line 20, the comma should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is unclear as to how, given that the first and second set of threads are internally disposed on the first and second components respectively, the connection collar would be used therewith, especially given that the disclosure only makes passing reference to such an embodiment, that this embodiment is not illustrated, that the bulk of the disclosure is drawn to externally threaded components that cooperate with an internally threaded connection collar, internal spacers and mating passages internally disposed within the components.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Sell (US 5,655,794).

With respect to claim 1 and with particular reference to FIGS. 4-7, Sell discloses a threaded connection for connecting first and second substantially cylindrical-shaped components having a pre-defined axial alignment, said connection comprising: A. (i) a first set of threads (20) provided on a first component connection end (6) of said first component, and (ii) a second set of threads (20) provided on a second component connection end (6) of said second component, (iii) such that when said first and second components are disposed in said pre-defined axial alignment and said first component connection end abuts said second component connection end, said first set of threads and said second set of threads are synchronous; and B. a connection collar (10) adapted to be (i) threaded onto said first component connection end before said first component connection end abuts said second component connection end, and (ii) threaded onto said second component connection end, after said second component connection end abuts said first component connection end and said first and second components are disposed in said pre-defined axial alignment, while said pre-defined axial alignment is maintained.

With respect to claim 2 and with particular reference to FIGS. 4-7, Sell discloses the threaded connection of claim 1 wherein said first set of threads is externally disposed on said first component connection end and said second set of threads is externally disposed on said second component connection end.

With respect to claim 4 and with particular reference to FIGS. 4-7, Sell discloses the threaded connection of claim 1 wherein said first component has one or more openings (see FIG. 5) therein that align with one or more openings in said second component when said first and second components are disposed in said pre-defined axial alignment (see FIG. 4).

With respect to claim 5 and with particular reference to FIGS. 4-7, Sell discloses the threaded connection of claim 4 wherein an item (9) is disposed through at least one of said openings in said first component and through said aligned opening in said second component.

With respect to claim 6 and with particular reference to FIGS. 4-7, Sell discloses threaded connection for connecting first and second substantially cylindrical-shaped components having a pre-defined axial alignment, said connection comprising: A. (i) a first set of threads (20) provided on a first component connection end (6) of said first component, (ii) a second set of threads (20) provided on a second component

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connection end (6) of said second component, and (iii) said first and second components being disposed such that (i) said first component connection end is separated from said second component connection end by such a distance that if said first set of threads and said second set of threads were continuous through said distance they would form a continuous-thread path between said first component and said second component, and (ii) said first and second components are disposed in said pre-defined axial alignment; and B. a connection collar (10) adapted to be (i) threaded onto said first component connection end before said first component connection end is separated from said second component connection end by said distance, and (ii) threaded onto said second component connection end, after said first component connection end is separated from said second component connection end by a distance and said first and second components are disposed in said pre-defined axial alignment, while said pre-defined axial alignment is maintained.

With respect to claim 7 and with particular reference to FIGS. 4-7, Sell discloses threaded connection for connecting first and second substantially cylindrical-shaped components having a pre-defined axial alignment, said connection comprising: A. a spacer (9) having a first spacer end and a second spacer end, B. (i) a first set of threads (20) having a first timing and provided on a first component connection end (6) of said first component, and (ii) a second set of threads (20) having a second timing and provided on a second component connection end (6) of said second component, (iii) such that when said first component connection end abuts said first spacer end of said

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spacer and said second component connection end abuts said second spacer end of said spacer, when said first and second components are disposed in said pre-defined axial alignment, said first set of threads and said second set of threads are synchronous (see FIG. 4); and C. a connection collar (10) adapted to be (i) threaded onto said first component connection end before said first component connection end abuts said first spacer end and said second spacer end abuts said second component connection end, and (ii) threaded onto said second component connection end, after said second component connection end abuts said second spacer end and said first spacer end abuts said first component connection end and said first and second components are disposed in said pre-defined axial alignment, while said pre-defined axial alignment is maintained.

Allowable Subject Matter

Claim 8 is allowed over the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached ***Notice of References Cited***.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES M. HEWITT whose telephone number is (571)272-7084.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James M Hewitt/
Primary Examiner, Art Unit 3679